



JUN 19 2008

## AMENDMENT TRANSMITTAL LETTER

Docket No.  
SPINE 3.0-437 CPCPCPCPCPCICON

Application No.  
10/663,492-Conf. #2441

Filing Date  
September 16, 2003

Examiner  
B. E. Pellegrino

Art Unit  
3738

Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok

Invention: INTERVERTEBRAL SPACER DEVICE HAVING ENGAGEMENT HOLE PAIRS FOR MANIPULATION USING A SURGICAL TOOL

### TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

#### CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	21	- 21 =		x	
Independent Claims	1	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00

Large Entity  Small Entity

No additional fee is required for this amendment.

Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.

A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge and credit Deposit Account No. 12-1095  
as described below. A duplicate copy of this sheet is enclosed.

Credit any overpayment.

Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

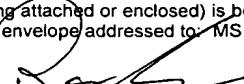
Dated: June 16, 2006

Raymond Garguilo, Jr.  
Attorney/Agent Reg. No.: 50,930

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(Raymond Garguilo, Jr.)

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PATENT & TRADEMARK OFFICE  
JUN 1 9 2006

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCP I CON IV  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Errico et al.

Application No.: 10/663,492

: Group Art Unit: 3738

Filed: September 16, 2003

: Examiner: B. E. Pellegrino

For: INTERVERTEBRAL SPACER DEVICE HAVING  
ENGAGEMENT HOLE PAIRS FOR  
MANIPULATION USING A SURGICAL TOOL

X

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL AMENDMENT

Dear Sir:

In response to the Official Action mailed February 16, 2006, Applicants submit the following supplemental amendment and remarks.

A Petition for a One-Month Extension of Time is submitted herewith thereby extending the time to answer from May 16, 2006 to and including June 16, 2006.